

**A GUIDE TO  
OBTAINING A  
PRIVATE HIRE  
OPERATORS LICENCE**

## ITEM 1- GENERAL INFORMATION

This booklet offers guidance on how to apply for a private hire driver licence, private hire vehicle licence and private hire operator licence. For inquiries about how to obtain a licence or a general question on licensing matters:

**Licensing, and Vehicle Testing**  
**Environment Department Transport Depot, Abbey Road,**  
**Wrexham Ind. Estate**

**Telephone 01978 729600**  
**Customer Service Desk Hours**  
**Mon – Thur 08.30am – 4.30pm**  
**Fri 08.30am – 4.00pm**

**Enforcement enquiries, general advice and complaints –**  
**Public Protection Department, Crown Buildings,**  
**Chester Street, Wrexham. LL13 8ZE**

**Telephone 01978 292040**

## ITEM 2 – INTRODUCTION

In England (outside London) and Wales, Private Hire and Hackney Carriage licences are issued by the local Council to control the safe operation of private hire and hackney carriage vehicles being used for hire or reward.

In Wrexham, licensing and enforcement matters are dealt with by the Health and Safety and Licensing Section based at the Public Protection Department, Crown Buildings, Chester Street, Wrexham LL13 8ZE

Each licence has a set of conditions, which the licence holder must comply with. Copies of these conditions are attached to every licence issued, and are readily available from the above address. Licences issued by the Council are issued for 1 year.

## ITEM 3 – PRIVATE HIRE FEES

To view Current Private Hire Fees please see “Licensing Fees” Web Page [www.wrexham.gov.uk](http://www.wrexham.gov.uk) or telephone (01978) 729600.

**PLEASE NOTE CARD PAYMENT FACILITIES ARE NOT AVAILABLE**

**IMPORTANT NOTICE**  
**FEES CANNOT BE ACCEPTED WITHOUT ALL RELEVANT DOCUMENTATION**

## **ITEM 4 – APPLICATION FORMS**

All application forms are available from the Environment Department Transport Depot or the Public Protection Department at the above address.

## **ITEM – 5 HOW TO APPLY FOR A LICENCE**

The Environment Department Transport Depot is situated on Abbey Road on Wrexham Industrial Estate.

Call in at our Customer Service Desk and ask for the necessary forms to apply for the particular private hire licences you wish to obtain. You can telephone (01978 729600) and ask for application forms to be sent to your home address.

You should bring the completed application forms into the depot with the appropriate documentation and fee. You will then be allocated an application number, which is the unique reference number, which will be clearly stated on your receipt regarding your application and will require you to quote this application number.

## **ITEM 6 - APPLICATION PROCEDURE FOR A PRIVATE HIRE OPERATORS LICENCE**

To apply for a private hire operator licence you must:

- A.** Be aware that all applications for an operator’s licence must be made **in the name of one person.**
- B.** Complete the appropriate application form. If you do not hold a current Private Hire Driver’s Licence you will need to request a “Basic Disclosure” from the Criminal Records Bureau Scotland. Contact details [WWW.disclosurescotland.co.uk](http://WWW.disclosurescotland.co.uk) Tel 0870 6096006.  
Applicants who do not hold British Citizenship must also provide evidence of Criminal Records Checks from their country of origin / previous residency.  
The following steps show how your application will be processed:
  - 1.. Your Application Form will be checked in your presence for any errors or omissions.
  - 2. When submitting your application you are requested to declare any convictions you may have. See Appendix 1. In addition you will be required to request a “Basic Disclosure” from the Criminal Records Bureau Scotland (CRB) they will undertake a check with the Police and other bodies to determine whether you have any convictions.  
If you have declared any convictions, following confirmation of these by the CRB, then your application may have to be referred to the Environmental Licensing Committee. The guidelines that the Committee would use to consider your application are at Appendix 2, the procedure that would be followed at the Committee, (which you would be invited to attend) are at Appendix 3. Your application would then proceed to step 4 and 5 below.
  - 4. If you wish to proceed with your application after your options have been explained to you, step 5 will apply.
  - 5. Your Application Form will be processed, subject to you obtaining a “Basic Disclosure.”

You should then obtain planning permission from:

**PLANNING DEPARTMENT  
GUILDHALL  
WREXHAM  
TELEPHONE: 01978 292016**

- C. Your application would then be granted (providing the Planning Department have granted planning permission). There are conditions pertaining to your licence, which must be complied with, failure to comply may result in you being prosecuted under the Act or reported to Committee.
- D. Each year a renewal form will be sent to your operator address (please note that it is your responsibility to ensure your licence is renewed before it has expired). You should attend at the Abbey Road Depot with a completed renewal form and the appropriate fee.

### **IMPORTANT – LATE RENEWAL OF PRIVATE HIRE OPERATOR LICENCE**

If you do not renew on time but your application is received within **one calendar month** following expiry of licence a ‘late’ renewal fee will be payable equivalent to the fee for the grant of a licence and the licence will be dated to expire 12 months from the date of the *previous expiry*. **Although the Council will accept an application to renew a Licence, rather than requiring a new application, up to one calendar month after the licence has expired, this does not constitute a “period of grace”.** The Operator is responsible for ensuring their Licence is renewed before the previous licence expires.

An application to renew a licence will not be accepted more than one calendar month following the expiry of licence.

Any application made after that time will be treated as ‘new’ application and will need to go through the same procedure as that specified for the grant of a licence.

### **ITEM 7 – THE LAW AND LOCAL CONDITIONS RELATING TO PRIVATE HIRE LICENSING**

The current legislation under which private hire are controlled is:

**Local Government (Miscellaneous Provisions) Act 1976.** A copy can be obtained from any HMSO bookshop.

A copy of the licence conditions for Private Hire Operators is at Appendix 4.

**CRITERIA TO BE USED WHEN DETERMINING A PRIVATE HIRE DRIVER'S LICENCE, A PRIVATE HIRE OPERATOR'S LICENCE OR A HACKNEY CARRIAGE DRIVER'S LICENCE**

**1. INTRODUCTION**

Wrexham County Borough Council is responsible for all licensing matters in connection with the Private Hire and Hackney Carriage trade within the Wrexham area.

**2. GUIDELINES**

The Authority requests you obtain a "Basic Disclosure" from the Criminal Records Bureau Scotland for applications for Private Hire Operator's Licence and renewal applications of such. This provides the Authority with details of any convictions.

The information you give will be treated in the strictest confidence and will only be taken into account in relation to your application. You should be aware that the Council is empowered in law to check with the Police (Criminal Records Bureau) for the existence and content of any criminal record held in the name of the applicant. Information received from the Police or the Bureau will be kept in strict confidence whilst the licensing process takes its course and will be retained for no longer than is necessary.

The disclosure of a criminal record or other information will not necessarily debar you from gaining a licence unless the council considers that the conviction renders you unsuitable. In making this decision, the Authority will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors that may be relevant. You are advised to consider the attached guidelines relating to the relevance of convictions.

Any applicant refused a licence on the grounds that he or she is not a "fit and Proper person" to hold such a licence has the right of appeal to the Magistrate's Court within 21 days of the receipt of the decision.

## GUIDELINES USED BY ENVIRONMENTAL LICENSING COMMITTEE

Applications will generally only go to Committee if there are recent convictions, i.e. a conviction within the last five years. The guidelines relating to the relevance of convictions to be used by the Committee are listed below, they refer to Hackney Carriage and Private Hire Vehicle drivers but the criteria can be applied to Private Hire Operator's applications as they are in responsible positions dealing with public safety and security.

1. Each case will be decided on its own merits
2. A person with a current conviction for serious crime need not be permanently barred from obtaining a licence but should be expected to remain free from conviction for 3 to 5 years, according to the circumstances, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public.
3. The following examples afford a general guide on the action to be taken where convictions are admitted.

### (a) **Minor Traffic Offences**

Convictions for minor traffic offences, e.g. obstruction, waiting in a restricted street, speeding etc, should not prevent a person from proceeding with an application. If sufficient points have been accrued to require a period of disqualification of the applicant's driving licence then a hackney carriage or private hire vehicle licence may be granted after its restoration but a warning should be issued as to future conduct.

### (b) **Major Traffic Offences**

An isolated conviction for reckless driving or driving without due care and attention etc, should normally merit a warning as to future driving and advice on the standard expected of Hackney Carriage and Private Hire Drivers. More than one conviction for this type of offence within the last two years should merit refusal and no further application should be considered until a period of 1 to 3 years free from convictions has elapsed.

### (c) **Drunkenness**

#### (i) With motor vehicle

A serious view should be taken of convictions of driving or being in charge of a vehicle while under the influences of drink. An isolated incident should not necessarily debar an applicant but strict warnings should be given as to future behaviour. More than one conviction for these offences should raise grave doubts as to the applicant's fitness to hold a licence.

At least 3 years should elapse (after the restoration of the driving licence) before an applicant is considered.

If there is any suggestion the applicant is an alcoholic, a special medical examination should be arranged before the application is entertained. If the applicant is found to be an alcoholic a period of 5 years should elapse after treatment is complete before a further licence application is considered.

#### (ii) Not in vehicle

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However a number of convictions for drunkenness could indicate a medical problem necessitating critical examination (see (i)) above ). In some cases, a warning may be sufficient.

d) **Drugs**

An applicant with a conviction for a drug related offence should be required to show a period of at least 3 years free of convictions before an application is entertained, or 5 years after detoxification treatment if he/she was an addict.

(e) **Indecency Offences**

As Hackney Carriage and Private Hire Drivers often carry unaccompanied passengers, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, should be refused until they can show a substantial period (at least 3 to 5 years) free of such offences. More than one conviction of this kind should preclude consideration for at least 5 years. In either case if a licence is granted a strict warning as to future conduct should be issued.

(f) **Violence – guidelines**

As Hackney Carriage and Private Hire Drivers maintain close contact with the public, a firm line should be taken with applicants who have convictions for grievous bodily harm, wounding or assault. At least 3 years free of such convictions should be shown before an application is entertained and even then a strict warning should be administered.

(g) **Dishonesty**

Hackney Carriage and Private Hire Vehicle drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and become “ fair game “ for an unscrupulous driver. For these reasons a serious view should be taken of any conviction involving dishonesty. In general, a period of 3 to 5 years free of conviction should be required before entertaining an application.

**Environmental Licensing Committee**

**Procedure for hearings re: Private Hire Licences**

1. Chair welcomes applicant/licence holder and invites him/her to sit.
2. Chair introduces self and Members of the Committee who will be deciding the matter under consideration.
3. Chair ascertains identity of Applicant/Licence holder and his/her representative and informs him/her that he/she has been invited to attend in relation to either his/her application for a private hire driver's/vehicle/operator's licence or his/her private hire driver's/vehicle/operator's licence.
4. The Chair to explain that this is not a Court of Law but that there are procedures in place in order to ensure the smooth running of the hearing. Chair to check with Applicant/Licence holder that he/she understands the procedure to be followed. Chair proceeds with hearing.
5. Public protection Officers will introduce a report in relation to the application/licence to the Committee.
6. Applicant/Licence holder will be invited to explain the circumstances relating to the matters referred to in the report.
7. Members of the Committee will be invited to ask Applicant/licence holder and/or Officers questions.
8. Public Protection Officers will be invited to make any closing representations
9. The applicant/Licence holder will be invited to make any final submissions in respect of his/her application or licence.
10. All questions that parties wish to raise must be put through the Chair.
11. At the conclusion of the hearing the Chair informs Applicant/Licence holder that the Members of the Committee will now consider the matter in private session. The Applicant/Licence holder and Council Officers will be asked to remain in the foyer area in case they are required for further questioning.
12. Once a decision has been reached, the Committee Clerk will advise the Applicant/Licence holder that he/she will be notified of the decision in writing within 14 days.

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LicenceNo»

**EXAMPLE LICENCE****PRIVATE HIRE OPERATOR'S LICENCE**

Wrexham County Borough Council under the provisions of the Local Government (Miscellaneous Provisions) Act, 1976

**DO HEREBY LICENCE** «Name»

**of** «Add1» «Add2» «Add3» «Add4»

to operate private hire vehicles within the County Borough of Wrexham from the premises known as

«Company» «CoAdd1» «CoAdd2» «CoAdd3» «CoAdd4»

from the date hereof up to and including «Expiry» unless previously suspended or revoked subject to the provisions of the said Act and such Statutes, Orders, Rules, Regulations and Bylaws as may from time to time be in force for the regulation of Private Hire Vehicles and the Proprietors, Drivers and Operators thereof within the said County Borough and subject to the conditions specified in the Schedule hereto.

**Dated this 27 June, 2007**

\_\_\_\_\_  
**Chief Housing and Public Protection Officer**

**SCHEDULE****CONDITIONS OF LICENCE**

Definitions: In these conditions, except where the context otherwise requires, the following words and expressions shall have the following meanings:

“**Authorised Officer**” means a person authorised by the Chief Housing and Public Protection Officer to carry out duties connected with the issuing of private hire licences and enforcing legislation relating to private hire;

“**Badge number**” means the Private Hire Driver’s licence number displayed on the identification badge issued to a driver by the Chief Housing and Public Protection Officer pursuant to Section 54 Local Government (Miscellaneous Provisions) Act 1976;

“**Chief Housing and Public Protection Officer**” means the person appointed to that post in Wrexham County Borough Council;

“**Operator**” means the person to whom this Operator’s licence is issued;

**“Driver”** means a person to whom a Private Hire Driver’s licence has been issued by the Chief Housing and Public Protection Officer;

**“Proprietor”** means the person to whom a Private Hire Vehicle licence has been issued by the Chief Housing and Public Protection Officer;

**“Vehicle”** means a vehicle in respect of which a Private Hire Vehicle licence has been issued by the Chief Housing and Public Protection Officer;

**“Plate number”** means the Private Hire Vehicle licence number displayed on the vehicle identification plates issued in respect of a Vehicle by the Chief Housing and Public Protection Officer.

1A The Operator shall keep the following records:-

- a) In respect of every contract for the hire of a Private Hire Vehicle:-
  - (i) the date and time of the booking;
  - (ii) the name and pick up point of the hirer;
  - (iii) the destination;
  - (iv) the plate number of the Vehicle assigned to the booking;
  - (v) the badge number of the Driver assigned to the booking;
- b) In respect of all Vehicles operated:-
  - (i) the name and address of the Proprietor;
  - (ii) the registration number of the Vehicle;
  - (iii) the plate number and its expiry date;
- c) In respect of all Drivers working for the Operator:-
  - (i) the name and address of the Driver;
  - (ii) the badge number and its expiry date;
  - (iii) the call sign allocated to the Driver;
  - (iv) copies of relevant insurance documents

B The records may be kept either:

- a) in a book(s), approved for such use by the Chief Housing and Public Protection Officer, the pages of which must be consecutively numbered and bound together,
- or
- b) by means of a computerised record system approved by the Chief Housing and Public Protection Officer.

C The records shall be made available for inspection by an Authorised officer or Constable at any reasonable time.

D The records for any given date shall be retained by the Operator for a period of not less than twelve months.

2 The Operator shall ensure that, in relation to all vehicles under his control, there must be in force policies of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1972

3 The Operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular:-

- a) ensure that when a Private Hire Vehicle has been hired to be in attendance at an appointed time and place, the Vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place;
- b) keep clean, adequately heated, ventilated and well lit any premises which the Operator provides and to which the public have access, whether for the purpose of booking or waiting;
- c) ensure that any waiting area provided has adequate seating facilities;
- d) ensure that any telephone and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly;
- e) if radio equipment is used there shall be in force a licence issued in accordance with the Wireless Telegraphy Acts which covers the use of Private Business Radios.

4 a) The Operator upon receipt of any complaint concerning a Driver, Vehicle or any contract for hire or purported contract related to or arising from his/her operation, shall notify, immediately in writing, the Chief Housing and Public Protection

Officer and shall indicate the action (if any) which the Operator has taken or proposes to take in respect of such a complaint.

- b) The Operator shall cause to be permanently fixed in a prominent position inside the premises so as to be easily read by any person seeking to hire any Private Hire Vehicle, a properly printed Notice provided by the Chief Housing and Public Protection Officer, to the effect that any complaint regarding a contract for hire relating to the business should be addressed to : Chief Housing and Public Protection Officer, Wrexham County Borough Council, Crown Buildings, Chester Street, Wrexham, LL13 8ZE.
- 5
- a) This licence applies only to the premises specified hereon and the Operator shall not operate Private Hire Vehicles from any other premises without first obtaining the written consent of the Chief Housing and Public Protection Officer.
  - b) The Operator shall inform in writing the Chief Housing and Public Protection Officer within seven days of any change of his personal address.
- 6
- The Operator shall notify the Chief Housing and Public Protection Officer in writing, within seven days, the details of :
- a) driver(s) ceasing to be associated with his operation
  - b) driver(s) starting to receive bookings from him / her.
- 7
- The Operator shall within seven days notify the Chief Housing and Public Protection Officer in writing of any conviction imposed upon him / her (or if the Operator is a company or partnership on any of the directors or partners) during the period of the licence.
- 8
- The Operator shall within 14 days of the issue of this licence provide to the Chief Housing and Public Protection Officer in writing details of the scale of fares charged for the hiring of Vehicles operated by him/her and shall within 7 days of any changes in such scale of fares provide the Chief Housing and Public Protection Officer with written details of such changes.
- 9
- The Operator shall obtain any necessary Planning Permission required for his/her premises and shall comply with any conditions attached thereto. The issue of this licence does not imply that planning permission is not required or that it would be granted if application were to be made to the Council.
- 10
- a) No annoyance or disturbance shall be caused to nearby occupiers or other users of land by reason of any atmospheric or airborne pollution or pollution transmitted by any other means. For clarification such annoyance or disturbance shall include noise, vibration, smoke, smell, fumes, dust, ash, soot, light dazzle, windblown paper and radio or TV interference.
  - b) No Private Hire Vehicles shall be parked in the vicinity of the premises so as to cause obstruction or annoyance to any person.
- 11
- The Operator shall not without the written consent of the Chief Housing and Public Protection Officer operate more than vehicles.
- 12
- The Operator shall ensure that no Private Hire Vehicle operated by him / her waits or parks on the highway anywhere in such a manner as to indicate or suggest that they are available for hire.
- 13
- No repair work, (other than emergency repairs) cleaning, or servicing of any kind shall be carried out on any Motor Vehicle at the operating premises.
- 14
- The Operator shall at all times comply with the requirements of the Local Government (Miscellaneous Provisions) Act 1976 in so far as they apply to Private Hire Drivers, Vehicles and Operators and all other relevant legislation for the time being in force.

**BREACHES OF THESE CONDITIONS MAY BE REGARDED AS GROUNDS FOR SUSPENSION OR REVOCATION OR AS GROUNDS FOR REFUSAL TO RENEW THE LICENCE.**

### **Right of Appeal**

**If you are aggrieved by any of the conditions of this licence you may appeal to a Magistrates Court within 21 days from the date on which the licence was issued.**